

FILED 10 MAR 17 15:04 USDC-ORP

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION**

UNITED STATES OF AMERICA

No. CR 10 - 92 - Ki

v.

INDICTMENT

TONI LYNN LANCASTER,

29 U.S.C. § 501(c)

29 U.S.C. § 439(c)

Defendant.

THE GRAND JURY CHARGES:

COUNTS 1 - 7

(Embezzlement and Theft of Labor Union Funds - 29 U.S.C. § 501(c))

1. On or about the dates listed below, in the District of Oregon, defendant **TONI LYNN LANCASTER**, while an employee of United Brotherhood of Carpenters and Joiners, Millwrights & Machine Erectors Local 711, a labor organization engaged in an industry affecting commerce within the meaning of Title 29, United States Code, Sections 402(i) and 402(j), did embezzle, steal, and unlawfully and willfully abstract and convert to her own use, the moneys, funds, securities, property, and other assets of said labor organization, in the approximate amounts listed below:

| <u>Count</u> | <u>Date</u> | <u>Check No.</u> | <u>Amount of Embezzled Funds</u> |
|--------------|-------------|------------------|----------------------------------|
| 1 | 10/20/2005 | 6073 | \$511.90 |
| 2 | 5/15/2008 | 6769 | \$538.85 |
| 3 | 6/2/2008 | 6792 | \$615.83 |
| 4 | 6/12/2008 | 6793 | \$615.83 |
| 5 | 9/25/2008 | 6864 | \$860.82 |
| 6 | 7/9/2009 | 7066 | \$628.27 |
| 7 | 7/9/2009 | 7067 | \$628.27 |

All in violation of 29 U.S.C. § 501(c).

COUNT 8

(Falsification and Concealment of Labor Union Financial Records - 29 U.S.C. § 439(c))

2. At all times material to this Indictment, United Brotherhood of Carpenters and Joiners, Millwrights & Machine Erectors Local 711 ("Union"), was a labor organization in an industry affecting commerce within the meaning of Title 29, United States Code, Sections 402(i) and 402(j).

3. On or about December 29, 2005, in the District of Oregon, defendant **TONI LYNN LANCASTER**, did knowingly and wilfully make and cause to be made a false entry in, and did wilfully conceal, withhold, and destroy, a record required to be maintained by Title 29, United States Code, Section 436, that is, defendant fraudulently wrote to herself and cashed Check No. 6112 for \$511.90 in Union funds without authorization, then despite having received the unauthorized funds, defendant falsely entered Check No. 6112 as "VOID" in the Union's

accounting books, which were records on matters required to be reported in the annual financial report of the Union required to be filed with the Secretary of Labor; all in violation of 29 U.S.C. §439(c).

FORFEITURE ALLEGATION

Upon conviction of one or more of the offenses alleged in Counts 1-7 of this Indictment, defendant **TONI LYNN LANCASTER** shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property constituting or derived from proceeds obtained directly or indirectly as a result of the said violations.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

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it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property.

DATED this 17 day of March, 2010.

A TRUE BILL

OFFICIATING FOREPERSON

Presented by:
DWIGHT C. HOLTON
United States Attorney


CRAIG J. GABRIEL, OSB #012571
Assistant United States Attorney